Attorney Docket No. 21102

Declaration and Power of Attorney for Patent Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

| I believ are list | ve I am the original, first ed below) of the subject | and sole inventor (if only or matter which is claimed and | ne name is listed below) or an original, first for which a patent is sought on the invention | and joint inventor (if plural names n entitled |
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| the spe | cification of which | | | |
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| [X] | is attached hereto. | | | |
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| The state of the s | Application Serial No | | | |
| M | and was amended on | | | |
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| any ar | nendment referred to abo | ove. | tents of the above identified specification, in | |
| I ackn | owledge the duty to disc leral Regulations, § 1.56 | lose information which is magnetical. | naterial to the patentability of this application | n in accordance with Title 37, Code |
| certifi | by claim foreign priority cate listed below and have f the application on whice | e also identified below any | Inited States Code, § 119 of any foreign ap foreign application for patent or inventor's c | oplication(s) for patent or inventor ertificate having a filing date befor |
| Prior | Foreign Application(s) | | | Priority Claimed |
| 10106 | 5722.4 | Germany | 14/February/2001 | [X] [] |
| | mber) | (Country) | (Day/Month/Year Filed) | Yes No |
| (Niv | ımber) | (Country) | (Day/Month/Year Filed) | [] [] Yes No |
| (TAC | | (···// | | [] [] |
| (Nı | ımber) | (Country) | (Day/Month/Year Filed) | Yes No |

| subject matter of each of the claims of t | this application is not disclosed in tes Code, § 112, I acknowledge the (a) which occurred between the | any United States application(s) listed below and, insofar as the he prior United States application in the manner provided by the he duty to disclose material information as defined in Title 37, filing date of the prior application and the national or PCT |
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| (Application Serial No.) | (Filing Date) | (Status) (patented, pending, abandoned) |
| (Application Serial No.) | (Filing Date) | (Status) (patented, pending, abandoned) |
| believed to be true; and further that the punishable by fine or imprisonment, statements may jeopardize the validity | ese statements were made with the or both, under Section 1001 of of the application or any patent issues. | |
| and transact all business in the Patent a | nd Trademark Office connected th | ollowing attorney(s) and/or agent(s) to prosecute this application erewith. |
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Title 37, Code of Federal Regulations, §1.56, duty to disclose information material to patentability (in part) provides, in part, that each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned.

Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie of unpatentability of a claim: or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

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